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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Khoo, *et al.*
Application No: 10/729,450
Filed: Dec 05, 2003
Date: Aug 04, 2005
Attorney Reference: 7129-00
Publication No. 2005/0124576 A1
Publication Date Jun 09, 2005
Title: Composition and Method

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexander, Virginia 22313-1450

Sir:

Pursuant to the requirements of 37 CFR §§ 1.56, 1.97, and 1.98, Applicant submits the attached Information Disclosure Statement (Form PTO-1449) for consideration by the Examiner during the examination of the above-identified patent application.

Copies of the cited documents, if required, are enclosed.

An International Search Report and Written Opinion from the corresponding PCT application has been received.

The Information Disclosure Statement submitted herewith is being filed either (1) within three months of the filing date of the application, (2) within three months of the date of entry into the national stage of an international application, or (3) before the mailing date of a first Office Action on the merits. No certification under 37 CFR § 1.97(e) or fee under 37 CFR § 1.17(p) is required.

The Information Disclosure Statement is being submitted in compliance with 37 CFR §1.56 because an Examiner may consider any cited document important in deciding whether to allow the application to issue as a patent. However, the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.


No representation is intended that the cited documents represent the results of a complete search. It is anticipated that the Examiner in the normal course of examination will make an independent search, determine the best prior art consistent with applicable laws, rules and regulations, and review for relevance every document cited by Applicant.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached Form with initials or other appropriate marks.

No fees are due with this Information Disclosure Statement. However, please charge any fees required or credit any excess fees paid during the entire pendency of this Application to Deposit Account No. 502957.

Hill's Pet Nutrition, Inc.
Capitol Tower Building
400 SW 8th Avenue
Topeka, Kansas 66603

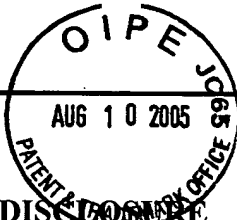
Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2005.


Jenna Hicks



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

COMPLETE IF KNOWN

Application Number	10/729,450
Filing Date	Dec 05 2003
First Named Inventor	Khoo
Art Unit	
Examiner Name	
Attorney Docket Number	7129-00

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US 6156355	12-05-2000	Shields	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Country Code Number ⁴ Kind Code ² (if known)			
	2	EP 0674842	10-04-1995	The Iams Company	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume/issue number(s), publisher, city and/or country where published.	T ⁶
	3	International Search Report for PCT/US2004/040679	
	4	Written Opinion for PCT/US2004/040679	
	5	NAPPERT, "Intestinal metabolism of glutamine and potential use of glutamine as a therapeutic agent in diarrheic calves", JOURNAL OF THE AMERICAN VETERINARY MEDICAL ASSOCIATE, 1997, pgs 547-551, vol.211, no.5	
	6	KANAUCHI, "Effects of germinated barley foodstuff in preventing diarrhea and forming normal feces in ceco-colectomized rats", BIOSCIENCE BIOTECHNOLOGY AND BIOCHEMISTRY, VOL.62, NO.2, Feb 1998, pgs 366-368	
	7	CORREA-MATOS, "Fermentable substrate reduces recovery time and improves intestinal function in piglets following Salmonella infection", FASEB JOURNAL, vol.15, no.4, Mar 7 2001, pg A642, XP009045249, AND Annual Meeting of the Federation of American Societies for Experimental Biology on Experimental Biol, Mar 31-Apr 04, 2001, Orlando, FL	
	8	SHODA, "Therapeutic efficacy of glutamine and N-3 poly-unsaturated fatty acid supplementation in profound hypoglycemia in rat model of lectin-induced diarrhea", GASTROENTEROLOGY, vol.114, no.4 Part 2, Apr 15 1998, pgs A908-A909, AND Digestive Diseases Week and the 99 TH Annual Meeting of the American Gastroenterological Association, May 12-22, 1998, New Orleans, LA	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT				COMPLETE IF KNOWN	
				Application Number	10/729,450
				Filing Date	Dec 05 2003
				First Named Inventor	Khoo
				Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	7129-00

	9	CORREA-MATOS, "Fermentable fiber reduces recovery time and improves intestinal function in piglets following Salmonella typhimurium infection."	
	10	SIMPSON, "Diet and large intestinal disease in dogs and cats.", The Journal of Nutrition, Dec 1998 (98-12), pgs 2717S-2722S, vol.62, no.12	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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